IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 37910 of 2007(K)

OA.164/2007 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

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PETITIONER:

REMA BALAKRISHNAN (M.K.REMADEVI),
W/O.LATE SHRI.K.G.BALAKRISHNAN, PARVATHY,
VAYALAR EAST, CHERTHALA.

BY ADV. SRI.M.K.SHASHI KUMAR

RESPONDENTS:

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1. UNION BANK OF INDIA,
ERNAKULAM MAIN BRANCH, REPRESENTED BY ITS
ASSISTANT GENERAL MANAGER.

2. M/S.OVERSEAS AGENCIES REPRESENTED
BY MANAGING PARTNER K.H.SHIYAS A-18,
FIRST FLOOR, GCDA COMPLEX, MARINE DRIVE,
ERNAKULAM.

3. K.H.SHIYAS, MANAGING PARTNER,
S/O.HYDROSE, KURUDAN PARAMBIL HOUSE,
NAYARAMBALAM, VYPPIN.

FOR R1 ADV.SRI.A.S.P.KURUP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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W.P.(C) No. 37910 of 2007-K

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Dated this the 19th day of December, 2007

J U D G M E N T

The writ petitioner who is the defendant in a proceedings pending before the Debts Recovery Tribunal, as O.A.No.164/2007, is yet to place her contentions before the Tribunal. It is improper for this court to interfere with those proceedings pending before the Debts Recovery Tribunal, that too, touching the merits of the case, on grounds which are yet to be placed before the Tribunal. This writ petition is closed without prejudice to the right of the petitioner to file written statement within such time as the Tribunal may grant.

THOTTATHIL B. RADHAKRISHNAN,
Judge

ms